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SUPREME COURT, U. S.

IN THE

Supreme Court of the United States

OCTOBER TERM, 1971

No. 70-5246

WALTER JOHNSON,

Petitioner,

—against—

THE PEOPLE OF THE STATE OF NEW YORK,

Respondents.

BRIEF IN OPPOSITION TO PETITION FOR WRIT OF CERTIORARI

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Statement

Petitioner seeks a writ of *certiorari* to review a judgment of the Court of Appeals of the State of New York, entered on January 13, 1971, unanimously affirming a judgment of the Appellate Division, Second Department, entered on March 13, 1970, which also unanimously affirmed a judgment of the Supreme Court of the State of New York, County of Kings rendered on March 5, 1968. The judgment of the Court of Appeals, without opinion, is reported in 28 N.Y. 2d 540 (1971).* The judgment of the Appellate Division, without opinion, is reported in 34 A.D. 2d 616 (1970).

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* Appendix A.